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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/031,462	01/17/2002	Benzion Landa	UDV	6933

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EXAMINER

EICKHOLT, EUGENE H

ART UNIT PAPER NUMBER

2854

DATE MAILED: 09/16/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/031,462

Applicant(s)

LANDA ET AL.

Examiner

Eugene H Eickholt

Art Unit

2854

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 July 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-49 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-12, 22-45 and 47-51 is/are allowed.
- 6) ☒ Claim(s) 13-21 and 46 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

Art Unit: 2854

An updated computer search has uncovered new art necessitating withdrawal of the indication of allowance of claims 13-21 and 46.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 13-20 and 46 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by

Takeuchi et al.

Referring to the Fig. 10 third embodiment, drums 10 are a plurality of imaging apparatus, tank 31 is control source of carrier liquid pumping carrier liquid to individual supply carrier units 91 which are part of developing unit 11 shown in Fig. 11. The controller is automatic as set forth at col. 15, lines 47-50. Claim 6, subparagraph d(iv) refers to a control means reading on the controller of claim 13, see also col. 16, line 22 's reference to a "controller, not shown". Regarding claim 14, col 15, lines 48-50 refers to recycling of carrier liquid "collected in the tank 31." Regarding claim 16, col 15, lines 60-62 refers to the developing tank 90 as containing "toner". Regarding claim 16, supply tank 91 is the carrier-liquid reservoir supplying liquid to the developing tank 90 and in turn tank 91 is resupplied from the central reservoir 31. Branching as recited in claim 17 is shown in Fig. 10 and referred to at col. 16, lines 10-11. Col. 16, line 14 also teaches the valves of claim 18. Pump 82 reads on claim 19 and sensor 61 reads on claim 20. See col. 15, lines 5-6.

Art Unit: 2854

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Takeuchi et al in view of Yamamoto.

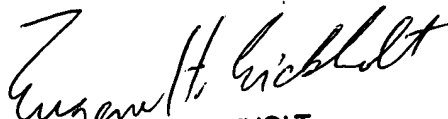
Takeuchi et al does not provide for a toner concentrate reservoir at the developing stations 11. However, Yamamoto teaches the measuring system of claim 21, with developer concentrate reservoir 111 reading in the "charge director solution". Fig. 1 shows the conduit-pumping system and conductivity sensors. At the time of applicants invention it would have been obvious to one of ordinary skill in the printing art to have added the toner concentration detecting system of Yamamoto to each developing station 11 of Takeuchi et al. Motivation for such an addition may be found in col 1, lines 32-34 of Yamamoto who refers to optional concentration.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Claims 1-12, 22-45 and 47-51 stand allowed.

A shortened statutory period of 3 months is set to respond.

E EICKHOLT/pj

09/10/03


EUGENE H. EICKHOLT
PRIMARY EXAMINER